

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re TERRORIST ATTACKS on
SEPTEMBER 11, 2001

03 MDL 1570 (RCC)

NOTICE OF MOTION

This document relates to:

Federal Insurance Co., et al. v. Al Qaida, et al. (03 CV 6978)

Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al. (02 CV 6977)

Cantor Fitzgerald & Co., et al. v. Akida Bank Private Ltd., et al. (04 CV 7065)

Continental Casualty Co., et al. v. Al Qaeda Islamic Army, e. al. (04 CV 5970)

New York Marine & General Ins. Co. v. Al Qaida, et al. (04 CV 6105)

Estate of John P. O'Neill, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al. (04 CV 1923)

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and all prior papers and proceedings herein, Defendant Al Shamal Islamic Bank will move before the Honorable Richard Conway Casey, United States District Court for the Southern District of New York, at the United States Courthouse locate at 500 Pearl Street, New York, for the following relief:

- (a) dismissal of plaintiffs' Complaints pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted;
- (b) dismissal of plaintiffs' Complaints pursuant to Fed. R. Civ. P. 12(b)(2) for lack of personal jurisdiction;
- (c) dismissal of plaintiffs' Complaints pursuant to Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisidciton;
- (d) and for any such further relief as he Court deems just and proper

Dated: January 17, 2006

Respectfully submitted,

/s/

Martin F. McMahon (MM 4389)
Martin McMahon & Associates
1150 Connecticut Ave., N.W.
Ste. 900
Washington, D.C. 20036
(202) 862-4343

*Attorney for Defendant Al Shamal
Islamic Bank*